

CONVOY DISPATCH

Voice of the Teamster Rank and File Since 1975

Teamsters for a Democratic Union

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Target: Production Harassment

Roadway Hit By New Campaign

Roadway dock and city workers across the country have initiated a major new campaign to put a stop to production harassment and production related discipline.

The new effort is based on secret documents, internal memos and charts from Roadway Express obtained recently by TDU. This material clearly demonstrates that Roadway uses an arbitrary system of production standards as the basis for disciplining its employees.

Their documents include memos instructing supervisors to discipline only "those employees that are indicated as having been counseled" for low production, and charts linking counseling with the issuance of warning letters, suspensions and discharges.

One report which Roadway supervisors are required to fill out contains these questions: "Are charts kept

current? Are low producers indicated? Are low producers counseled? Are low producers disciplined?"

"We've known all along that Roadway has been doing this kind of thing," said Keith Gallagher, a dockworker at Roadway's Tannersville, Pa. terminal. "But we have never had such clear evidence before. There's a lot of excitement on the dock about this material, and I don't see how the Union can avoid acting against production discipline now."

Violate Article 20

Production standards violate Article 20 of the National Master Freight Agreement, which states that production standards cannot be introduced without the express consent of the Local Union. Since no locals have agreed to these standards, Roadway uses such phony, misleading reasons as "failure to follow instructions,"

Production Systems Analysis Report - continued

IV. ADMINISTRATION:

A) Credit Check complete
B) Check-in procedures handled properly
C) M-11 write-ups handled daily
D) Allowing 1/2 hr. or "no lunches"
E) Checking F-9 vs P&D Card vs M-11
F) Checking M-12 on forklift

V. PROGRAM COMPLIANCE:

A) Are charts kept current?
B) Are low producers indicated?
C) Are low producers counseled?
D) Are low producers disciplined?
E) Are P&D counselees being spotted?
F) Who is counseling?

VI. PERFORMANCE LOGS - Observations and errors

A) How many checked? _____ How many with exceptions? _____

VII. SUGGESTIONS:

Two of the documents obtained by TDU which show that Roadway uses production standards for discipline. Above, a report where supervisors indicate if "low producers" have been disciplined. Right, a chart linking counseling with disciplinary actions. Complete sets of the documents are available from TDU for \$2.

DOCK PRODUCTION RECAP 1980

	11th Pl 1981	12th Pl 1981	13th Pl 1981
District 16			
# of emp's counseled	30	23	18
# of W/L's issued	8	9	5
# of suspensions	0	0	1
# of days suspended	0	0	3
# of discharges	0	0	0
# of discharges upheld	0	0	0
District 17			
# of emp's counseled	52	34	17
# of W/L's issued	34	20	10
# of suspensions	1	1	0
# of days suspended	2	3	0
# of discharges	0	1	0
# of discharges upheld	0	0	0
W. Div.			
# of emp's counseled	144	187	194
# of W/L's issued	152	89	46
# of suspensions	7	5	4
# of days suspended	13	21	12
# of discharges	4	4	1
# of discharges upheld	0	2	0

"being out of assigned work areas," or "actions detrimental to keeping with good business practices" as the basis for discipline. The new documentation obtained by TDU clearly reveals that these reasons are just a fraudulent coverup for an attack on the so-called low producers.

During the first week of February,

TDU mailed copies of the documents, general information flyer, petitions and a legal brief containing arguments in support of the grievance against production standards to TDU Roadway activists at terminals around the country. Activists have begun circulating petitions and grievances will

(continued on page 4)

GEB Finds Concessions Won't Save Jobs

On January 24-26, the General Executive Board of the Teamsters Union met in Florida and came to the conclusion that concessions don't save Teamster jobs after all.

But there is not the slightest evidence that they know what to do with this new-found knowledge.

"This all tends to support the thesis that lowering wages is not going to do anybody any good," a Teamster International official told the **Wall Street Journal** after the G.E.B. meeting decided against further concessions in the National Master Freight Agreement. Several other top officials have made similar comments, even including VP Jackie Presser of Ohio, who is notorious for advocating more concessions than anyone except possibly the employers.

Even a trucking executive quoted in **Business Week** admitted it: "There's nothing to keep everyone from cutting their costs and driving rates down" if there are more union concessions.

Now What?

Apparently the top officials see what is going on. But they don't know what to do about it.

Hundreds of companies have not signed the NMFA. Others have side-deals, riders, kickbacks, and Article 32 "special riders." In February, Des Moines Local 147 took note of the confusion and passed a motion, supported by members and officers alike, that the national agreement (with or without concessions) must be re-established.

COLA Diversion

Meanwhile, we have learned that quiet negotiations have resumed over the national truckload rider, and that figures as low as \$7 an hour are on the table. That's one way to deal with non-union competition, since it's lower than many non-union lines pay. These negotiations go on while union carriers already divert union work to non-union truckload divisions and owner-operator operations, with little resistance from the union.

The cost-of-living clause will generate about 35c this year (exact figures will not be known until February 25) but most of it will go to the health and welfare funds. For the first time our wages are paying our H&W instead of employer contributions, and that is

enough of a concession. But the employers want more. They talk about job loss, and a hundred thousand Teamster drivers are out of work. But the employers have used every concession to eliminate jobs, and turn the remaining jobs into casual labor.

It's time not only the members but the local unions send a message to the International Union. We need a national plan to regain union strength.

We need union hiring halls and preferential hiring for Teamsters that

lose their jobs at companies that have closed. And we need an organizing program with teeth in it and money behind it. We need to rid our union of people who pose as union leaders, while hiding in appointed jobs and acting like they are on employer payrolls.

Members and even many local officers are angry, discouraged or disoriented. That frustration needs to be turned into effective channels, to regain new union strength, new union pride, and new union leadership.

INSIDE	Rundown on New Driver Safety Law	p. 3
	Ohio Tank Rider Dumped, 3-1	p. 5
	Detroit Pepsi:	
	How Not to Run a Strike	p. 6
	The Steward's Corner: Past Practices	p. 7
	Productivity Attack in Warehousing	p. 10
	Real Story Behind UPS Questionnaire	p. 11
	Latest "Big Lie" Exposed	p. 12

LETTERS

Victim of Chattanooga Accident

Dear TDU,

I'm writing in regard to an article printed in your January, 1983 issue #31. The article concerned an accident which took place on the parking lot of Roadway Express, Chattanooga, Tenn. This accident involved a driver of a switch tractor and a road driver. The article stated all that the Teamsters Local 515 and some employees of Roadway Express had done for the driver of the switch tractor. They graciously were there, to assist him in getting his job back and even considered his financial needs.

Now please do not misunderstand the purpose of this letter. It's not being written with a bitter heart. I only feel that the other individual involved in this accident deserves an equal say.

My husband was the road driver hit and run over in this accident. He was hospitalized five days, treated for broken ribs, and was off work from

November 19, 1982 to January 5, 1983. He, at this writing, is still under a doctor's care and returned to work only because of financial necessity.

I would like to share with your publication what Roadway Express and Teamsters Local 515 did for my husband—the other victim. I'm referring to safety conditions—or should violations be more appropriately used—at the time of this accident. No reports to OSHA on his behalf, and not a word of personal or emotional support. In essence, NOTHING...

Fraternally,

Mrs. W.R. Warren
Chattanooga, Tenn.

Big R Problem

Dear TDU,

This morning I picked up a dozen or so of the **Convoy-Dispatch** in Los Angeles, Cal. I returned to our yard in Adelanto and proceeded to make up my paperwork, putting the C-D on the table in front of me.

Larry Shannon, our driver supervisor, came out and grabbed the papers and said this trash is not allowed on Roadway's property. Then he took all of the papers in his office and threw them in the waste basket. I followed him in and demanded them back saying I'll take them back the same way I brought them, in my personal bag. He gave them back and I left.

Question. Do we not have the right anymore to read what we want?

Also we have a notice on the board that the company will assign lunch and breaks if and when the Independents go on strike. In other words, now our "Big R" company is going to tell us where to eat and when.

I have been driving trucks for 36 years now, and have worked for other companies. But this Roadway is really impossible, like locking the side gate to the parking lot so we have to walk a mile from our cars to Dispatch, among other things.

I'm so close to retirement that I had to hold back from punching this animal in the nose. I do my best for Big R and I appreciate a good paying job in these times, but what can be done to better our working conditions?

I am not a member of TDU. But very shortly you will be receiving my membership application. I firmly believe someone like TDU is our only salvation. Our Local 467 in Rialto, Cal. is totally useless. I think Roadway pays them more than we do.

Fraternally,

H. John Cave
Local 467
Hesperia, Cal.

Editors Note: It is a violation of federal law for a supervisor to ban TDU literature from company property or single out TDU literature to be taken. The TDU office will help anyone file a charge at the NLRB on this or related matters of membership rights.

Quotation of the Month

"Whether you call them concessions or givebacks, you have to understand they become contagious. You may give a concession, but remember it will come back to haunt you during negotiations in your city or some other...I've never seen a company saved because of a lesser contract."

—William A. Schroder
Vice President, Graphic Arts
International Union, Quoted
in GAIU paper, October, 1982

'Thanks For All Your Efforts'

Dear TDU,

Please send a copy of the Legal Rights Handbook. The way things are going I think we may all need them in the near future.

I was a member of PROD, since its beginning, and changed after its merger.

Whether your efforts win or fail, it's at least more than the locals are doing for us.

If I might make a suggestion, I think

it would be a good time for an article on logging. Our employer and a lot of others are trying to force us to log our delay time off duty. A lot of us are getting warning letters for refusing to save our 70 hours for driving.

Thanks for all of your efforts, and keep up the good work.

Fraternally,

Leland Perkins
Local 89
Hanover, Ind.

New Taxes Hurt

Dear TDU,

The Federal Fuel Tax and Highway Use Tax is just the tip of the iceberg. What we need is a uniform law so we can go from state to state without being harassed.

Also, as a way of collecting taxes to fix our highways, there should be a surcharge put on the freight in accordance with the amount of revenue. This should include all modes of transportation because the airlines, ships and railroads all get their freight to and from them via the highways.

Trucks should pay this tax, not by size and weight of the truck, but by the ability to pay which is the amount of revenue produced. Just like you pay your income tax on the amount you make, not on your potential income. A truck that is run 24 hours a day, seven days a week, on a slip seat operation and earns \$400,000 a year, pays the same Federal Use Tax as the truck that earns \$40,000.

We are plagued with paperwork, red tape and reports from every state in the union. The Railroad Lobbyists, subsidized by the Federal Government, have dictated the truck laws for too many years.

Fraternally,

Blake Frey
Teamsters Local 124
Owner-Operator

MOVING?

Notify us of your new address or you will not receive your monthly **Convoy-Dispatch**. The paper is sent third class bulk mail and will not be forwarded to you.

Use the membership application form in any issue of the paper to notify us and write on the top of the form—**CHANGE OF ADDRESS**.

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WHO WE ARE

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers, warehouse workers—every kind of Teamster and spouses too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in November 1982 for one year. Our Rank & File Convention had over 400 representatives present.

We are proud Teamsters standing up for our rights. If you agree with our **Rank & File Bill of Rights** then how about joining us?

TDU STEERING COMMITTEE

Co-Chairs:

Doug Allan, Local 208
Pete Camarata, Local 299
Bilal Chaka, Local 692
Bob Leslie, Local 147

Organizer:

Ken Paff, Local 407

Trustees:

Jerry Bliss, Local 337
Mike Friedman, Local 407
Konstantine Petros, Local 20

Mike Belzer, Local 705

Tom Bernard, Local 435
Charlie Brown, Local 585
Cliff Coonley, Local 600
Fran Griffith, Local 436
Bob Kinnunen, Local 705
Jan Sunoo, Local 278

Alternates:

Clifton McDonald, Local 557
Mike Johnston, Local 679
Allen Ebert, Local 773

RANK & FILE BILL OF RIGHTS

I. DEMOCRATIC BY-LAWS. All Business Agents and Stewards should be elected. Vacancies in offices should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining their company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent till proven guilty, right to remain on the job till final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right backed up by our union to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT HOUR DAY AND FIVE DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25 and out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the difference in age, race, and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.



NEWS FROM THE

WASHINGTON OFFICE



The Washington office of TDU—formerly PROD's national office—is the rank and file's voice in the capital. Litigation, designing new legislation, reforming safety regulations concerning all aspects of working conditions and truck design—we're working for you.

We have a Professional Drivers Council of TDU to help. But we need your input.

PROD/TDU
Room 612-2000 P St., NW
Washington, D.C. 20036
(202) 785-3707

Rundown on Driver Safety Law

The new driver protection regulations signed into law are in effect, but as of yet the Department of Labor has not issued enforcement procedures.

TDU will issue details on how to use the new protection as soon as they are available, and will keep in touch with the responsible Labor Department officials on the matter.

Here is a brief rundown on the new statute, which took years of effort by PROD and TDU to accomplish:

What protection is provided by the statute?

A summary of Section 405(a) and (b): The Act prohibits discriminatory action against an employee because such employee has filed a complaint, testified, caused a proceeding to be instituted or exercised any other right relating to commercial motor vehicle safety.

The Act also prohibits discriminatory action against an employee for refusing to operate an unsafe vehicle, provided that the employee has sought and been unable to obtain correction of the unsafe condition by the employer and the condition was of a nature that a reasonable person would conclude that it presented a bona fide danger of accident, injury, or serious impairment of health.

Note the standard: a "reasonable person would conclude that there is a bona fide danger." TDU will provide more details on this matter as they are clarified. As in any other similar legal protection, having such evidence as VCR reports, witnesses, etc., will be important.

Is the Act in effect now?

The Act was effective as of January 6, 1983, when President Reagan signed it. Enforcement procedures and avenues within the Dept. of Labor have not been set up yet. However, should an employee want in the meanwhile to protect his or her rights under the Act, the employee could contact TDU at either our Detroit or Washington office for further details.

What are the time limits in this Act?

You have 180 days to file a complaint, following the act of discrimination. Then the Labor Department must investigate and determine whether or not the complaint has merit. This is supposed to happen within 60 days of filing the complaint.

What kinds of things are covered?

No person can be ordered to operate a vehicle in violation of DOT regs or safety standards. Some matters, such as overweights or orders to drive in violation of hours of service regs, are black-and-white cases. But we caution drivers that they should refuse to drive

only in those cases where the violation can be considered serious enough to justify such a refusal.

Such matters as refusing to drive because of the potential danger due to the Independents' shutdown, might be covered if the Labor Department determines "a reasonable person" put in your situation would have concluded there was a "bona fide danger."

The Act covers more than drivers. Also mechanics, freight handlers and others whose employment directly affects commercial vehicle safety.

What remedies are provided for in the Act?

Under the Act, discrimination would include discharge, suspension, or any other form of discrimination (giving low paying runs, etc) against an employee for his exercise of his protected safety rights.

The remedy would include, in the case of discharge, reinstatement with full back pay (and interest and benefits). Significantly, it could also include "costs and expenses (including attorneys' fees)" and compensatory damages. Thus the Act provides remedies superior to that of the NLRB or OSHA, which cannot order compensatory damages or legal fees.

What is the appeal procedure?

Again, details are to be worked out. But the Act provides that if the Labor Department finds merit in an employee's complaint, the employee (if it was a discharge matter) must be put back to work immediately, even while any appeals go on. (This is another advantage over NLRB or OSHA.)

After the Labor Department's initial finding, there is a 30 day period in which an appeal can be filed, which would lead to a hearing. Above that level a further appeal could be filed in the U.S. Court of Appeals.

What is the relationship to the grievance procedure?

We would advise you to utilize your contractual grievance procedure on any safety matter, but be certain to protect your right to use the new Driver Protection law by also filing a timely complaint with the Department of Labor. There is no requirement in the Act that you exhaust the grievance procedure first. You may use both.

TDU and PROD devoted so much effort to developing this Act, lobbying, testifying, providing evidence, etc., because drivers are not covered by OSHA, the DOT has proven virtually useless in safety enforcement, and our grievance procedure also has been lacking. This Act, we hope, will help fill this void in protecting the lives of professional drivers and the public.

Legal Briefs

\$10,000 an Hour in Legal Fees to 710 Fund Lawyer? In October, 1979, the Pension Fund of Chicago Local 710 sold a piece of property in its possession to the City of Chicago for \$13.2 million. For his role in facilitating the sale, Fund attorney Thomas T. Burke was paid the whopping sum of \$950,116.80. Attorneys familiar with the sale say Burke could not have worked more than 100 hours on the relatively straightforward transaction. His pay was thus in the neighborhood of \$10,000 an hour, which is a lot even for lawyers.

Local 710 members Ray Anderson and Joe Kouba have filed suit against Burke to recover the unreasonable fees paid. They say the payments are disallowed by Section 408 (b) of the Employee Retirement Income Security Act (ERISA), which permits the Fund to pay no more than "reasonable compensation" for legal services performed by its counsel. And you were wondering why the benefit funds are in such financial trouble...

Union Liable for Back Pay. In the case of *Bowen v. U.S. Postal Service* the Supreme Court held recently that a union that handles an employee's "apparently meritorious" discharge grievance in an arbitrary and perfunctory manner is primarily liable for that part of the employee's damages caused by the union's breach of duty of fair representation. The Court ordered that the Postal Workers Union pay \$30,000 of the \$52,954 awarded to Bowen. The union was held liable because it failed to take the case to arbitration. Three dissenting judges argued that the decision will force unions to take many unmeritorious grievances to arbitration simply to avoid court suits.

Supreme Court to Review DFR Time Limits. In 1981, the U.S. Supreme Court issued the *Mitchell v. U.P.S.* decision which held that persons who received unfavorable grievance decisions have a relatively short period of time to initiate court challenges (usually 90 days or less, depending on the state). Now, due to much confusion over the application of the case, the Supreme Court has agreed to hear a similar matter. TDU attorney Arthur Fox will file an amicus (friend of the court) brief arguing that *Mitchell* has undermined the ability of workers to protect their rights.

The TDU brief argues that 90 days following a grievance ruling is too short a period for employees to retain lawyers to initiate suits against their unions for breach of contract. Instead, TDU is urging the Supreme Court to adopt a two-year period to get into court.

The TDU brief also enlightens the Supreme Court about the collusive workings of the Teamsters Joint Grievance Committee process. Although the Union and the Employers always claim that Joint Committee decisions are due the same respect by the NLRB and courts as decisions by impartial arbitrators, TDU demonstrates that they really amount to no more than decisions by the Teamster representatives on the Committees to deny members grievances.

Were the Supreme Court to recognize the Joint Committee process for what it is, Teamsters might be able to break out of the legal straitjacket designed by the union and the employers.

Weight, Length Provisions

Weight—Requires all states to allow: 80,000 lbs. GVW
34,000 lbs. Tandem axle
20,000 lbs. Single axle

On all Interstate highways and access roads. Effective January 6, 1983, but DOT has indicated they will give states time to comply. Arkansas has already enacted the new limits.

Length—Requires all states to allow: 48 ft. trailers
28 ft. twin trailers

On all Interstate highways and designated primary highways. No state may ban doubles. Effective April 6, 1983. In addition, a study is to be undertaken by the DOT to consider a national network of highways allowing 110 ft. combinations (double 45s or triple 28s). Prohibits any overall length limit on tractor-trailer combinations.

Width—Requires all states to allow: 102-inches

On Interstate and designated primary systems with lane width designated to be 12 feet or more. Effective December 18, 1982.

Big R Harassment cont.

(continued from page 1)
probably be filed in March.

Campaign Gets Good Response

"The response from most of the people who have read it is that there's a lot of interest and concern," said Chris Austin, of Pontiac Local 614. This sort of gives proof of what we've known. "There are high hopes that it will do some good, but people are wondering how the Teamsters Union will react to it, if they will accept it."

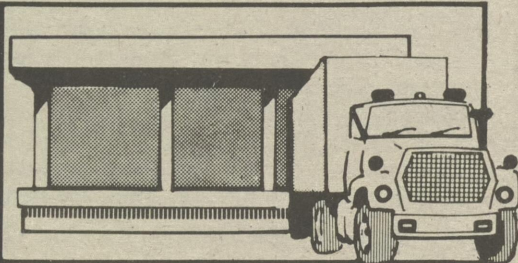
The grievance and petition prepared by TDU demands that "1) Roadway acknowledge and disclose to the union all documentation showing the existence and operation of this program; 2) That Roadway Express be ordered to cease its extensive productivity standards program, including an end to all counseling and keeping records of these standards for each employee;

and 3) That any past discipline...based on this productivity standard, including those issued under pretextual reasons, be rescinded and that all members so disciplined be made whole in every way. And further that Roadway Express be ordered to cease and desist from utilizing pretextual reasons for discipline that is actually based on productivity standards."

TDU attorneys believe that the documentation is so convincing that a failure by the union to act on these grievances could provide a basis for legal action.

Every Roadway employee who cares about making the Big R a better place to work should join into this national campaign against production standards immediately. Additional complete copies of the production documents are available from TDU for \$2; copies of the legal brief in support of the grievance are \$1. Petitions and general information flyers are free. Contact TDU immediately if you want to get involved.

Freight Lines



Double Breasted Operations and Leaseaway.

The IBT, over the signature of Roy Williams, called for grievances to be filed against the use of **Leaseaway Express** to divert freight from Leaseaway's unionized common-carrier operations. This was called to our attention by a local officer who read last month's **C-D** which mentioned how ineffective the changed Article 32 of the NMFA has been in stopping the wide-spread double-breasted operations (union companies opening non-union divisions).

If you work for a Leaseaway company under the NMFA, we would suggest you take this issue seriously. You might want to obtain a copy of Williams' letter of September 13, 1982, dealing with this matter.

More on Non-Union Divisions of Union Carriers.

Another response we received to last month's article involves **Peters Truck Line** of Yreka, California, a union carrier which acquired Oregon Freightways, a non-union carrier. Apparently the Western Conference officials say it's "no grievance" under Article 32's double breasting language, because Peters acquired the non-union operation to extend its service into new areas, rather than to divert freight in its existing areas.

This situation also applies to a number of carriers. **Meridian** (which owns **McLean**, **Delta Lines**, and **CME**) also operates outfits well below the NMFA scale, such as **Alamo Express** in Texas. Article 32 could be a powerful tool to strengthen the NMFA and stop the job leakage out of the contract. It's time it be used.

CF Buys Air Express.

Consolidated Freightways is spending \$63 million to acquire Air Express International, a company providing direct air-freight service in the U.S. and Europe. This move reflects a trend towards the development of large, multi-modal freight companies which integrate rail, air, trucking and even ocean based modes of service. For instance, Pan American and Smith's Transfer recently entered into a cooperative agreement, and the ICC has also removed all remaining barriers to the entry of rail companies into the trucking business.

Motor Freight Express—Do Concessions Save Jobs?

In previous issues of **Convoy-Dispatch**, we have reported the cold facts and figures about whether giving concessions save jobs. Cooper-Jarrett, Eazor Express, Spector Red Ball—hefty wage cuts didn't prevent these companies from going out of business.

For some time, Motor Freight Express, based in York, Penn., seemed to be bucking that trend. MFX was one of the first companies to seek individual wage cuts, with nearly 2/3 of its workforce giving up 21% of their pay in September, 1981. Gradually, however, the wage cut was phased out, and by March, 1982, the company seemed to be back on its feet. Industry publications in May reported that MFX had "returned from the brink" and "was looking forward to expansion."

But it wasn't to be. In late October, MFX filed for reorganization under Chapter 11 of the federal bankruptcy law. The company had suffered a net loss of \$4 million in the first half of 1982, and plans by Consolidated Freightways to acquire it fell through. MFX has shut its doors completely. Yet one more piece of evidence that since workers don't cause the economic problems of the companies, taking their money won't solve them.

PTA Fight Continues

Blizzard conditions didn't stop Penn Truck Aids drivers in New Castle, Del. from turning out in large numbers on February 13 to demand a better contract and union support for NLRB charges.

Penn Truck Aids is a labor leasing firm which supplies drivers for Dupont, Allied, Hercules and other customers located east of the Mississippi.

TDU member Bernie Bush is bitter about the Eastern Conference contract which expires at the end of March. "We took a cut in pay well below the National Master Freight Agreement, we don't get paid for all miles driven, and vacation, holidays and sick days are paid at \$1 less than the regular rate," he said. "It's almost impossible to make ends meet under this contract."

George Stanley, a TDU member in Richmond, Virginia, questions why the Eastern Conference "lets grievances sit for months." He estimates that "drivers lose approximately 75% of grievances filed and are lucky if a significant grievance is won all year."

Long-time Richmond steward Walter Lovett, feels that "it's a disgrace that Penn Truck Aids customers can get rid of a driver for no reason at all and the Eastern Conference says that there's

nothing that can be done about it."

Parkersburg, W. Va. Teamsters Pete Gainer and Dewey Wherry say that the Eastern Conference ignores the drivers' attempts to improve things through the internal union procedures. They say that over a hundred drivers have signed internal charges against the Eastern Conference and other petitions demanding participation in this year's contract negotiations."

Cautiously Optimistic

As a result, Bernie Bush is cautiously optimistic. "Last year the union told us what Penn Truck Aids was willing to give. This year, under pressure, the union called contract proposal meetings to ask for suggestions." Bush also said that under intense questioning from the members at the Sunday February 13 meeting, newly elected Local 312 president John DiLusio promised that the local would support the members' attempts to participate in the upcoming negotiations and would assist TDU members in their National Labor Relations Board charges. The members charge that Dupont is replacing union with non-union drivers in violation of the contract. The matter is currently at the NLRB Division of Advice in Washington, D.C.

JOIN TDU!



For nearly ten years PROD and TDU fought for better legislation giving drivers the protection they need to refuse unsafe trucks. This legislation finally passed in December — one more example of why you need TDU, and why you should join TDU today.

As Leavern Pate, a Roadway road driver from Memphis, Tenn., said: "I've fought for years to get companies to put only safe trucks on the road. TDU/PROD has been at the forefront of that struggle. The Truck Safety Law which TDU/PROD just pushed through Congress should help protect truck drivers and the motoring public. I hope Teamsters reading this will join TDU; there's plenty of good work to do."

Membership Application Teamsters for a Democratic Union

Name _____ Local Union # _____

Address _____

City _____ State/Prov. _____ Zip _____

Phone _____ Company _____

City|| Road|| Dock|| Clerical|| Warehouse||

Construction|| Production|| Other _____

|| \$20 membership fee—for one year's membership & subscription to **CONVOY DISPATCH**.

|| \$25 optional membership fee. (\$5 of this shall be rebated to the local chapter.)

|| \$10 annual dues for spouses, retirees, and Teamsters who gross less than \$10,000 a year.

(Optional) How did you receive this newspaper? _____

Return to: TDU, P.O. Box 10128, Detroit, Michigan 48210
(TDU membership is kept confidential from employers and union officials.)

Ohio Tank Rider Dumped 3-1

Ohio Tanker Teamsters rejected the proposed Ohio Rider by a 3-1 margin in a series of ratification meetings held in January. From Local 20, which defeated the proposal 125 to 1, to Local 507, which rejected the contract 58-1, the vote was a clear message to the companies that Tanker drivers were fed up with further concessions.

This strong show of unity was enough to force Ohio Conference officials to set up proposal meetings and begin a new round of negotiations.

Central Conference personnel expressed "great surprise" at the overwhelming rejection. They were especially surprised since the rejection came on the heels of a bogus concession vote last June which was barely ratified.

A closer look at the proposed rider should indicate why the members defeated it in such great numbers. The rider would not only have continued the giveaways of last year's contract, but would have also imposed even more concessions for the next three years.

The proposed rider would have provided that each employer would negotiate as an "individual entity"

and that further concessions may have come through "modifications which the employer may choose to make."

It also provided for a wage of \$11.54 an hour, frozen over the life of the contract. This is a dollar less than the wage rate of a year ago. Furthermore, the proposed rider took away all sick days, reduced Sunday work to time and a half, reduced the 48 hour guarantee to 40 hours, and established a new hire rate of \$9.25 per hour.

It should have come as no surprise that the members would reject such a deterioration of the contract and their standard of living. TDU members and other concerned tanker drivers all over Ohio are spreading the word and working towards getting a better deal on the next contract.

Eastern Conference

Meanwhile, in the Eastern Conference, the master contract appears to have totally splintered apart, and bargaining on major wage and fringe items will now be on a company to company basis.

The trend towards this development began over the last few years, with a

host of substandard deals being agreed to at various companies. In the same locals, some tankers would be working for as little as \$9 an hour while others would be making scale of \$12.64.

The contract expired November 15, and the companies apparently petitioned to get out of the master contract. According to reports given by officials at union meetings in early February, the Eastern Conference fought this move by filing charges with the National Labor Relations Board. But these charges were either lost or withdrawn, according to the conflicting reports.

Negotiations were to be wrapped up very rapidly, with contract votes scheduled for as early as February 18 in Local 312, and February 19 in Western Penn. Local 273. In **Allen-town Local 773**, a strike vote was taken, but TDU members there said it had no teeth behind it.

"This will give other companies an opportunity to get cheaper prices and everyone will get different scale," said Local 312 Chemical Leaman driver George Shaffer. "This leaves the door open for a lot of crooked stuff."



Jackie Presser

Presser Wins Recruiter Award

This month's award for the IBT official who has done an outstanding job of recruiting TDU members goes to Ohio's own Jackie Presser.

Presser is refusing to allow members to escape the **Ohio Highway Drivers Welfare Fund** and transfer to Central States Fund. Presser has a conflict of interest when he appoints the negotiators for such contracts as the Ohio Tank Haul Rider. He insists on writing the Ohio Drivers Fund into the contract, despite its lower benefits for the same cost. The Ohio Fund has been mismanaged for years by Presser and his friends.

The Tank Haul Rider itself was overwhelmingly voted down in January. Presser, who once entered the liquor business with Leaseway VP Robert Moss, appoints the negotiators to sit down with Leaseway.

Thanks to Jackie's efforts, many more Ohio Teamsters have gotten active, and joined TDU. And they are working for a better contract. Brother Presser, from TDU to you, its a heartfelt 'thanks'.

Setback for the Independents

By Mike Friedman
Local 407, Cleveland

After 11 days it is over. The much heralded independent truckers strike against the tax structure of the Surface Transportation Act ended not with a bang, but a whimper.

Mike Parkhurst, president of the Independent Truckers Association (ITA), called it off on the promise of a Congressional Review of the law. No action. No promises of action. There is no way this can be called a victory. What went wrong?

It wasn't that the goals of the strike were objectionable. The increased taxes are mammoth and the economic picture for the independents is grim. **Business Week** magazine estimates that after paying himself minimum wage, the average owner-operator pockets \$30 a month. Not a profit margin that matches up to the \$100,000 plus investment needed and the large operating expenses involved.

A couple of reasons are being offered for the defeat. First, the timing

was bad. The user taxes that would hurt the drivers most weren't scheduled to take effect for another 30 months; those affecting common carriers not for 18 months. Many felt there was time to present the case to Congress and to lobby the law to death.

Second, the strike preceded many major produce harvests by two or three months. Since the independents count for as much as 85% of the fresh produce hauled to market, an April 1 shutdown would have forced producers and shippers to the wall faster.

Third, the recession had already idled some 20,000 independents. This created a reserve labor force to take up any slack. Many other drivers were in no financial shape to hold out for a very long strike.

Illusions about ATA

Fourth, there were still many illusions among the owner-operators that the ATA (American Trucking Associations) would support their action.

Since the ATA also opposed the new taxes, many independents felt the ATA had the same reason to shut down. This naive trust cost them dearly.

Fifth, another fatal move of the independents was their mystique of being "independent businessmen" and their belief that they are some sort of last American heroes. An administration which was willing to break the PATCO strike was none to likely to respond to the direct action of the independents, even if those independents consider themselves businessmen.

But the most significant reason for the defeat, and one that will continue to plague the owner-operators, was their lack of effective organization.

The ITA wasn't the only group claiming the allegiance of the independents. There are a host of competing organizations, some of which supported the strike, some of which didn't. This organizational confusion meant the strike was haphazardly organized.

The high level of violence was a direct result of this organizational weakness. Having no coherent or systematic way of making decisions or communicating, the drivers turned to violence to create a mood of fear to keep drivers off the road. Had their actually been negotiations and had the government offered a compromise, there would have been no democratic procedure for the independents to make a decision.

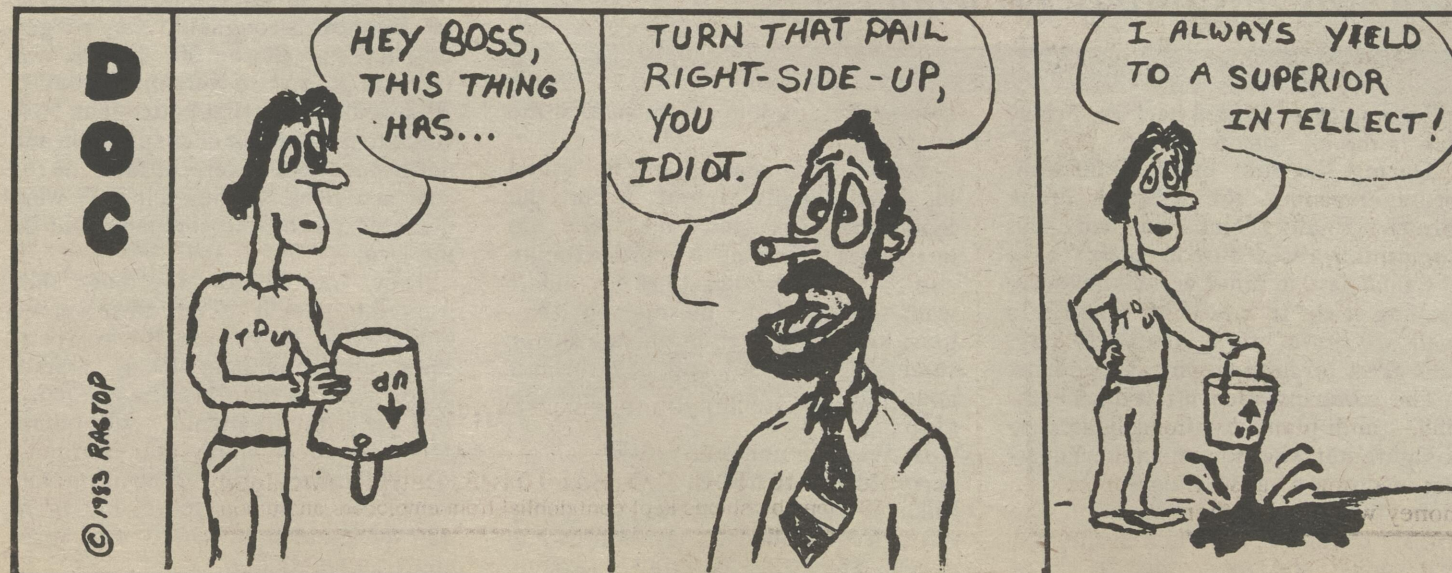
This defeat will hurt. Not only do truckers face the impending high tax structure imposed by the law, but their lack of organization will continue to undermine their abilities to fight.

Railroads Moving In

The most serious setback may have been gains made by the railroads during the strike. Trailer-on-flatcar loadings increased some 25% during the ten day action.

If the high tax structure goes into effect as planned, there may be a more significant shift of long-haul freight toward the rails with the independents restricted more and more to shorthaul railhead pickup and delivery. And if that happens a lot of rigs parked temporarily during the strike will be parked permanently.

Then the deregulation open-door policy towards independent owner-operators, which promised them so much, will be rudely slammed in their face.



Failure of Leadership in Local 337

Pepsi: How Not to Run a Strike

In mid-September, some 600 Pepsi workers in Detroit Local 337 began a nine-week strike to fend off concessions and stay in the Central States Pension Fund. The strike lasted nine weeks, but in the end it was lost. Convoy-Dispatch believes it is important to understand what went wrong during the strike. We interviewed two Pepsi workers, Mike Daisy and Jerry Horne, to find out what happened.

Convoy-Dispatch: What we'd like to know here is what the union did and didn't do that affected the outcome of the strike—more specifically, what the local could have done to make it a more effective strike. Let's go back to the beginning. What was done in terms of preparing people for contract negotiations.

Mike Daisy: Well, the company foremen were taking people aside, asking questions on the line, just burying the people under this propaganda about the pension. They started working on this in February, March and April, and it was just constant. It just kept building up more and more. And the local just didn't do anything.

C-D: Did they survey people about what they wanted in the contract?

Jerry Horne: Nothing.

Rank & File Role

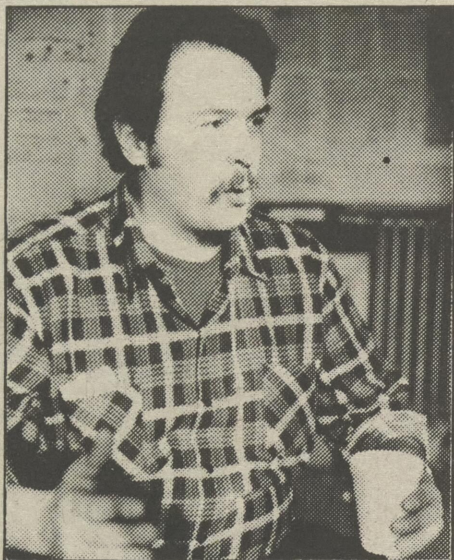
C-D: OK, so the union has been basically invisible during this time, what's the rank and file doing? You were putting out **The Pepsi Syndrome** every month? What was its impact?

Jerry: It was really accepted. Even the stewards who were Holmes supporters read it.

Mike: I think it had the effect of keeping people a little bit more together and a little more centered, focused on something instead of just being scattered.

C-D: Negotiations actually began early in August, right? What did you know at that time?

Mike: Nothing, except that the company sent out the first of their mailings. It said, "As you know, times are tough ... We have to continue to make profits to stay in business, and



Mike Daisy

C-D: So what happened in those final days before the strike began?

Mike: After we voted by 90% to strike, that was on Sunday, we walked out of there, everybody was just screaming. We're walking out Wednesday, we're walking out, damn it, you know, we're going to do it. And then at the last minute they went back into negotiations on Tuesday the 14th, but by Wednesday night around 6:00 p.m., the negotiating committee had shot down the company's final offer.

Holmes Intervenes

But then Brennan, the 337 Vice President, and Holmes flew in from New York. And after the negotiating committee had shot down the company's offer with only one dissenting vote, Holmes and Brennan accepted it. There was no news, everybody did walk out at midnight, but it was disorganized, the BAs had to come out and say, well, we can't sanction this strike. **C-D:** So how long did that first walk-out last?

Mike: They were back by about 6:30 or 7 a.m. Thursday morning.

Jerry: I came in Thursday morning. The people weren't working. They were milling in and out of the building in bunches in front and they were fighting amongst themselves. Eventu-

ally some of us walked back in. Friday it was the exact same thing.

During the first break, 9:00 a.m. Friday morning, the steward, Frank Brown, finally comes in and says something about how he didn't have the final say, in other words they were leaving it up to us—if we wanted to walk we could, if we wanted to stay, we could. So here we are, we're back in the same position we were Thursday, standing out on the street trying to figure out whether we were wildcatting or doing what was legal. **C-D:** What was the impact on the morale of the people when in the first two days you had this kind of

confusion? **Mike:** Confused the hell out of them, what the hell's the local up to?

Jerry: Why don't they give us an answer? Why don't they come out and say, you have to work, you don't have to work? Why did they have to leave it up to us?

Confused and Let Down

Mike: I think people felt beat right from the beginning. They wanted to stay out, they knew they could get what they wanted from the company, but they were just totally confused and let down.

(Editor's note: Most of the employees had walked out by mid-day Friday despite the confusion. The company had changed its offer to a six month wage freeze but still the company pension plan. An official vote was taken Friday, September, 18 with 71.8% voting to strike.)

C-D: From the beginning, what should the union have been doing to make the strike better organized and more effective?

Mike: Information, the big thing was information. Why couldn't the local just mimeograph a little flyer, even just a few for each location, informing people what was going on? There wasn't even that, there wasn't communication one.

C-D: What about this idea of extended picketing? That was one of the things you kept stressing in the **Pepsi Syndrome** as something the local should be doing.

Mike: The company was managing to bring in product from other facilities during the strike. We should have gone out there with a leaflet, say we are on strike, the main issue is the pension, the company has dictated this, we want to shut this down. Chances are, if we win this, it's going to affect you favorably, if we lose, it's going to be on your shoulders next.

I spent a couple of weeks suggesting it, you know, to key people, suggesting why don't we shut them down. Saying, apparently we're not having much effect, there's still product in the

in Flint, but when it didn't work they just gave up. They didn't notify the local president in Flint in advance that they were going to do it.

C-D: Were there other things they could have done?

Mike: A lot of minor stuff, but just to show us, show the strikers that they do have support. Coffee three or four times a day out to the lines. Things to get people out of the weather, out of the rain and snow, minor stuff like that to show them that there's actually somebody that believes in them.

C-D: And so gradually the people began to feel more and more that they had been abandoned?

Jerry: Yep.

(Editor's note: On November 3, a new company proposal was voted on. It called for a 50c raise deferred until



Jerry Horne

January but still included the company pension plan. The BA gave no recommendation. It was voted down 242-232. The local rejected demands for extension of the picket lines by saying this would amount to "all-out war" against the company.

With no change in the local's strike strategy, the ability of the strikers to hold out faded. Another vote was announced for November 20, with no information in advance about the contract package. The company sent out dinner invitations, made phone calls, mailed out postcards and mailgrams pressuring the strikers to settle.

When the members arrived at the hall, they learned that the company's latest offer was 50c up front and another \$1.00 over three years. A 10 day time limit for management write ups. And the Pepsi pension plan. The vote was 307-172 to return to work.)

C-D: What was the impact of the strike?

Mike: Even in Exeter, which used to be Holmes' stronghold, they're getting fed up. Of the 307 people who voted to go back to work on November 20, I would guess that better than 50% voted to go back out of desperation and not because they were in favor of the contract. Because they felt they were defeated not by the company, but by the local.

They wanted to stay out, they wanted to stick it to 'em, they wanted to get what they knew the company could afford without losing market share, without breaking the company. You got a multinational, multi-billion dollar a year company that continues to make money. The enthusiasm was there, the spirit was there, but there was no leadership. There was absolutely no leadership.

"They felt they were defeated not by the company but by the local. ... The enthusiasm was there, the spirit was there, but there was no leadership. There was absolutely no leadership."

that's important to you because you want to keep a job. We'll ask for 70c back across the board, etc., etc." Right down the line, concessions, an 18 month wage freeze after the pay reduction, the company pension plan. That's when we voted on Sept. 12.

C-D: How did that first vote go?

Mike: Well, I think that's the point when the **Syndrome** had the biggest effect, because there was a 90% vote against the proposal. About three times I had their profits in there. \$333, 456,000 in profits last year—the greatest year in their history, profits were up 15% from the previous year.

Jerry: And the people ate it up.

stores. We've got to cut them off at the sources.

People said, yeah, that's not a bad idea, so finally I put it in the **Syndrome**, suggested it one week, the next week I worded it more strongly and that was October 13. They didn't want to extend the pickets, but they must have been getting phone calls or something, and they said, hey, this is a good idea, why don't we extend the pickets.

C-D: Was the union effective?

Jerry: They botched it.

Mike: I think they were just going through the motions. They didn't want to do it. They tried for a day or two out

The Steward's Corner

Past Practices, and How to Use Them

The Stewards Corner is a new column which will attempt to answer questions that frequently come up, from stewards and members alike. We welcome your questions, suggestions, or ideas. —The editor.

"Past practice" is a frequently used term, but perhaps seldom properly understood. Stewards and members who understand it will be a step ahead in defending the membership.

Past practices are now universally accepted by labor arbitrators as an important part of interpreting contracts. For example, in a famous U.S. Supreme Court case in 1960 (*USWA v. Warrior & Gulf Navigation*), it was noted that "...the labor arbitrator source of law is not confined to the express provisions of the contract, as the industrial common law—the past practices of the industry and the shop—is equally a part of the collective bargaining agreement, although not expressed in it."

A past practice is one that has been in effect over a period of time and is accepted by both parties. It cannot be an isolated incident, but must be something that happens consistently and which both parties are aware of.

How long is long enough to become a past practice? This has no definite answer. One guideline is mentioned in the "black book" for the National Master Freight Agreement: "(Past practice) is operative only in connection with a practice that has had consistency of pattern for ninety days or more and does not apply if the Contract minimum has been maintained with the exception of isolated incidents."

Practices Lost at Panels

The NMFA and certain other Teamster contracts have a strong past practice clause, called "Main-

tenance of Standards" which explicitly protects past practices from change by the company.

Unfortunately, the good wording of this clause is undercut by the "joint committee" grievance panels which have become tools to give away many hard-won conditions. Also, Article 6 was changed in the current NMFA to allow employers to appeal to the Joint Area Committee for review of specific past practices. But the union reps have veto power over the request.

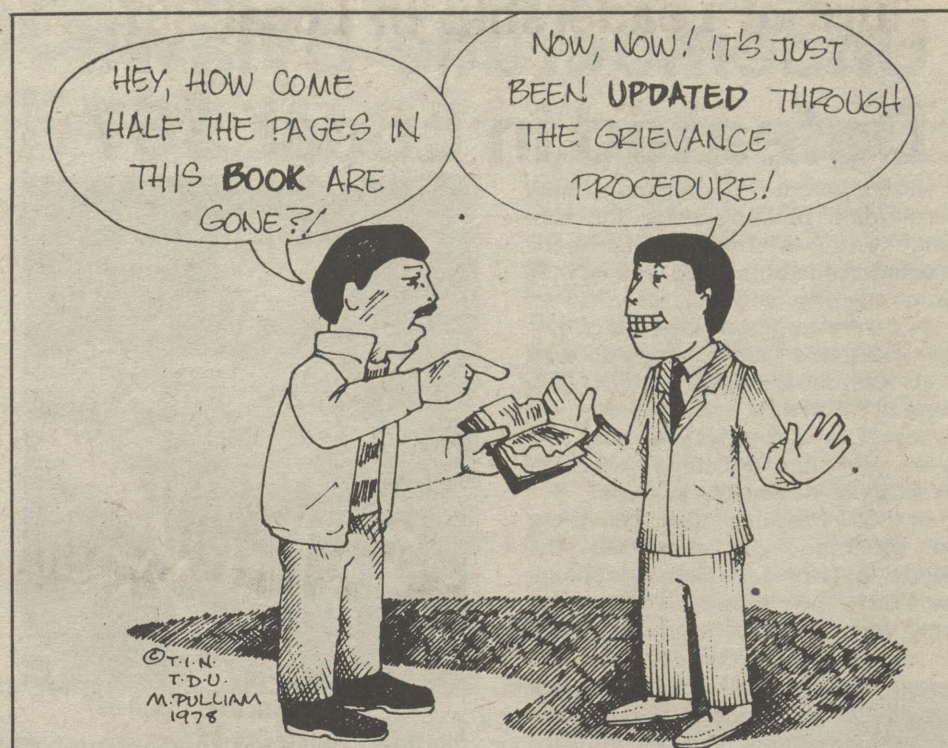
Examples of Past Practices

Examples of commonly recognized past practices include paid coffee breaks, bonuses, seniority and bidding procedures, dispatch procedures, wash-up time, and many other work rules.

Some members have told me "our BA says we don't recognize past practices," which is ridiculous. For example, the NMFA has no mention of coffee breaks, yet 250,000 Teamsters working under it take them every day, with pay. Can the companies abolish them tomorrow? Let's hope not. Our only protection of them is past practices, a very well-established industry-wide past practice, and thus a very strong one.

There are certain areas in which some arbitrators will not recognize past practices, including clear management prerogatives. For example, suppose you always used a hand jack and the company wants to bring a power jack, to move pallets. You cannot invoke past practice and refuse to use a new tool or machine, in most cases. The employer has this right.

Suppose your supervisor is lax on tardiness, and many employees come late regularly without penalty. Then a new boss comes in and gets strict. This, too, would likely not be a valid past practice. But in this case, virtually any arbitrator would rule



that the company would have to give a clear notice that they intend to change the established practice.

Also, arbitrators generally will let companies discontinue "gifts" such as Christmas presents. But if the gifts were considered "bonuses" or "earnings" then they could well be a protected past practice.

Arbitrators generally agree past practices can serve to clarify ambiguous or vague contract language, and to determine how work rules and discipline can be applied, and also to cover areas not dealt with in the contract.

Usually, if there is a conflict between past practice and clear contract language, an arbitrator will go with the contract. There are exceptions to this, however, such as when past practice is so strong as to override the contract language.

Stewards and BAs should generally see past practice as one tool, or basis of argument, in protection of members and working conditions. It can supplement an argument based on contract language, or if the contract is silent on an issue it can be vitally important.

Building Past Practices

On the shop level, past practices can be built up, and then protected. If

you get an opportunity to "lock-in" a practice beneficial to the members it should be seized upon. Suppose during some cold days dockworkers are given extra breaks to warm up in the break room. Working to get this continued and perhaps getting an agreed-upon temperature at which the practice becomes effective, becomes very important. Once this kind of practice becomes consistent for a while, and becomes accepted by both parties, you will have a strong past practice case to maintain it.

Management can also do the same, by introducing some procedure, perhaps during a peak season of work or other special time, then gradually use it to establish a new practice in the shop, which could reduce jobs or conditions. Stewards and members should be on guard.

Past practices are important in contract bargaining as well. If you have some beneficial practices, they should be written down and then in negotiations the union can say to management that since the employees already enjoy these rights, they should be added to the contract because clear language can benefit both parties. Management may agree. Then you have used past practices to actually improve the agreement.

Norristown Local 384

TDU Steward Fights Removal

On December 22, 1982, TDU member Steve Dias was removed as steward at the Thrift-Rack Stores warehouse in King of Prussia, Pa. His "crime," according to Local 384 BA Jim Hill, was as follows:

He circulated petitions; he solicited grievances; and he failed to inform Hill that a Thrift-Rack employee had been disciplined (even though the BA receives written copies of all disciplinary notices issued).

The incident which sparked the removal occurred when Dias wrote up a grievance for an employee working in a sister warehouse because the steward there was out for the day. Even though this kind of filling in was common in the past, Hill claimed Dias was interfering with his duties.

In the meeting with the 20 employees who had elected Dias over two

years ago, Hill cited the article of the contract in which the company recognizes the union's right to designate stewards. This, Hill said, gave him the right to remove Dias and appoint a replacement.

Hill's mistake is one that is all too common to some Teamster officials. He thinks the officials make up the union, not the members.

Blatantly Illegal

"It's basically political," Dias said. "Basically, I've been confronting them on their interpretation of the contract. I'm an obstacle to him. That along with my TDU activities. They wanted me out of the picture."

TDU believes Hill's move was blatantly illegal. Several major court cases have upheld the right of stewards to have views independent

of the officials. This includes a major TDU legal victory in the case of Efrain Maceira, a Local 901 steward in Puerto Rico who won back his union rights after a long battle against union officials who had removed him from office.

On January 11, 19 of the 20 workers Steve had represented signed a petition stating their desire to have him reinstated as steward. The only holdout was the person Hill appointed as Steve's replacement.

Three days later, Dias sent Hill the petition and asked again that he be reinstated. He also asked that the reasons for his removal be clarified in writing. This action was taken under the advice of TDU attorneys. Hill has not yet responded.

Dias intends to fight his case to the bitter end, and expects in the end he



Steve Dias, Local 384

will win.

"I take it as a kind of personal affront to me," he said. "A lot of people I work with feel the same way because they elected me. I don't see how I can lose."

Conroy-Dispatch photo by Bob Gumpert

Undemocratic Bylaws Defeated in Local 557

"It was probably the largest turnout for a union meeting since the contract," Clifton McDonald of Local 557 reported, concerning the January 30 union meeting where a new set of bylaws were to be put into effect.

An estimated 250-300 people showed up. It was not an accident. The TDU Chapter issued a bulletin on the proposed bylaws changes, and the result was the members were informed, and turned out in force.

Local 557 President Jack Eisenberg had attempted to substitute the "Model Bylaws" of the International Union for the local bylaws, which would have removed authority from the rank and file. For example, the present bylaws call for Executive Board decisions to be submitted to the next regular membership meeting for approval. This, and other provisions like it, would have gone down the drain.

The members had little idea what was going on, until the TDU informational bulletin was issued. Reportedly, even some members of the Executive Board were not aware that the proposed bylaws originated with



Clifton McDonald, Local 557

the International Union.

After the membership had the facts and were prepared to vote accordingly, the bylaws were withdrawn and never came to a vote. Thus the long-standing Local 557 bylaws—which do provide more democratic safeguards than many other bylaws—are in effect. Thanks to membership vigilance and effective rank and file organization.



LOCAL 710 TDUers DISCUSS PLANS at TDU Convention: from left to right: Jim Wardell, Gary Boelkes, and Bob McGinnis discuss campaign for elected stewards in Local 710. TDU activists in three states have collected hundreds of signatures in the petition drive for elected stewards.

TDU MEETINGS

BC/Yukon Area TDU
Thursday, March 3—7:30 pm
Rio Hall, 3325 Kingsway

BC/Yukon Area TDU
Thursday, April 7—7:30 pm
Rio Hall, 3325 Kingsway

Cincinnati Area TDU
Saturday, February 26—12 noon
Seymour Bowl
Seymour & Reading, Cincinnati
(take Paddock exit off I-75)

Detroit Metro TDU
Sunday, March 6—1 pm
Polish Army Vets Hall
4959 Martin
(between Michigan Ave. & I-94)

Lehigh Valley TDU
Sunday, March 13, 2:00 pm
Larry Holmes Commodore Inn
Routes 22 and 78
Phillipsburg, NJ

NW Ohio TDU
Sunday, March 13—2 pm
Hillcrest Hotel, 16th & Madison
Downtown Toledo

San Francisco Bay Area TDU
Sunday, March 13—7:00 pm
Call 415-783-5872 for details & place

SoCal TDU
P.O. Box 1868
Lynwood, Cal. 90262
213-966-8142/213-439-5702
Our steering Committee meets bimonthly.
Call the above numbers for information.

Twin Tiers TDU
Saturday, March 5—5 pm
Horseheads American Legion Hall
Horseheads, NY

Watsonville Area TDU
Sunday, February 20—5 pm
Salud de la Gente Clinic
Main St., Watsonville

Watsonville Area TDU
Sunday, March 20—5 pm
Salud de la Gente Clinic
Main St., Watsonville

New Address for Grand Rapids Chapter
Grand Rapids TDU
Box 7192
Grand Rapids, Mich. 49510

Toledo Local 20

Construction Workers Win Hiring Victory

The NLRB has ordered Toledo, Local 20 to post a notice informing construction members that they have the right to inspect the local's referral list.

TDU members Dennis Wick and Earl Smenner brought charges against Local 20 after they had been replaced on their jobs by lower seniority people. When they went to the union hall to inspect the referral lists they were told it was unavailable to them.

"They had walked all over construction members rights," said Dennis Wick. "It took us two years of fighting just to gain a right already guaranteed us by federal law."

The notice from the NLRB reads: 1) We will not deny to persons seeking work, through our exclusive referral system, the right to review and inspect our referral register. 2) We will not, in any like or related manner, restrain or coerce referral applicants in the exercise of their rights guaranteed under Section 7 of the Act. 3) We will honor the request of any applicant under our

exclusive referral procedures to review and inspect our referral registers.

Besides giving construction members the right to inspect the referral lists, the NLRB's ruling also cleared up some misunderstanding of the union's hiring hall procedures. Dennis Wick said, "Up to this point, the local had never admitted to using an exclusive referral procedure. The exclusive referral procedure means that local contractors must contact the union and the union then has 24 hours to fill the openings with union members. With the members keeping an eye on the referral list, we can stop a lot of problems before they start."

Local 20 construction members are planning to keep the pressure on the local executive board to put something in writing about their hiring hall procedures. "We had to fight a long and sometimes frustrating battle for two years," Wick said. "That just proves to us and other Teamsters who want their rights, that to win you can never give up. You've got to just keep on pushing."

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(Names are kept confidential from employers and union officials.)

Our Union Needs an Election

By Ken Paff
TDU National Organizer

As we go to press, Roy Williams is about to be sentenced, following his conviction for using pension fund money as bait in a plan to bribe a U.S. Senator.

The Justice Department has presented evidence on organized crime influence on Williams and is seeking to have him barred from office. On another front, the Labor Management Racketeering Act is being considered in Congress and if it passes, Williams will be forced to step down.

Meanwhile, the General Executive Board is meeting in Chicago with people on it jockeying for position on the top job. And that is the problem.

It is our position that forcing Williams to step down, by itself, will

accomplish nothing for the rank and file. For his successor will be one of exactly 16 men who currently sit on the General Executive Board. They will do the choosing, in secret. In fact, Williams will have a lot of say on the matter himself. He has already publicly declared that four of these sixteen will not be considered.

What is needed is an election by the rank and file of the Teamsters Union for our President. This would be more than a long overdue dose of democracy. It could be a new beginning, a chance to discuss issues such as the dire situation we face in the trucking industry. Our union is drifting along without leadership or direction, which may be alright in calm waters but in the storm we are in, it's disastrous.

More than anything, the revelations

from the trial in Chicago show that our leadership is unfit to lead our union. They move in a sleazy world of organized crime, of skimming moneys from Las Vegas casinos, of Costa Nostra families. I went to the sentencing hearing to get a feel of it, and there is no feel of unionism in that courtroom.

Even the issue of who pays the legal bills for Roy Williams raises questions. I asked Williams' lawyer Thomas Wadden who was paying for him, but no answer. We have written General Secretary-Treasurer Ray Schoessling demanding to know if our union treasury has been used for this purpose. No answer. But we will get an answer, you can be sure of that, one way or the other.

We note with interest the formation of the "Roy Williams Defense Com-

mittee" chaired by k Yager, a top appointee of Williams who runs the Central Conference. It will be interesting to see if this Committee reports to anyone on finances, especially since it is totally intertwined with the union structure, as union meetings, stewards classes, etc. are used to solicit donations.

Our union is in trouble and the major activity of top officials is to try to stay out of prison or get funds from members for the same purpose. Whatever happens with Williams, and whoever succeeds him, the need for new leadership, new direction and new democracy in our union has never been greater. Now is the time. We think TDU has the way to do it. If you have a better way, let us know it. If you don't, join us and be part of the solution.

Who's the N.J. Lawbreaker?

Teamster News, the official newspaper of New Jersey Joint Council 73, ran a prominent article in the January, 1983 issue which headlined about "IBT Lawbreakers" who bring a bad name to the union.

Now who in New Jersey do you suppose these "Lawbreakers" might be?

1) Tony Provenzano, former head of JC 73 and Local 560 and International VP, now in prison on a life sentence for murder as well as labor racketeering.

2) The whole Provenzano family, for operating the union like a private crime club, with three of Tony's daughters on the Local 560 payroll, Nunzio's daughter and Sam's daughter, too. Josie, the Secretary-Treasurer of the large local, recently testified that she has "no knowledge" of the

contract, "not particularly" any knowledge of the grievance procedure and did not know her own salary (\$65,000).

3) Joseph P. Uzzolino, former President of Local 478, who went to prison on December 14, 1982, for conspiracy to receive kickbacks and to embezzle pension fund assets.

4) Frank Greco and Reggie Miller, long-time reform activists, who last year testified on truck safety problems before the New Jersey Assembly Transportation Committee.

Dissident Lawbreakers?

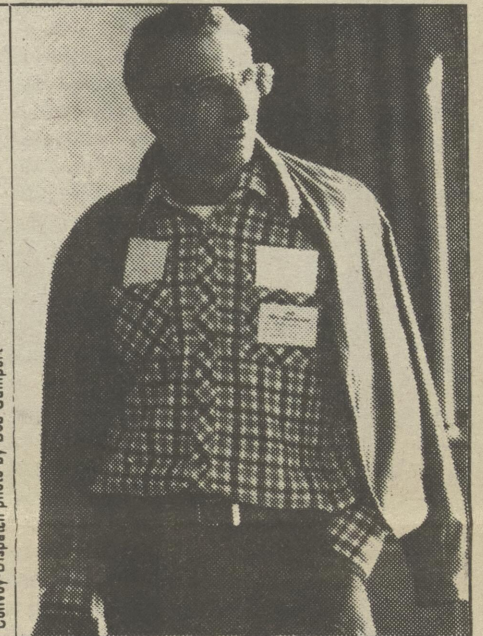
If you guessed 1, 2, or 3, go to the back of the class! You should have known that Joint Council boss Salvatore "Sammy Pro" Provenzano would never criticize his loved ones and other good friends in the New

Jersey Teamster hierarchy. Instead, his "Teamster News" had the nerve to make the laughable or disgusting charge (depending on your point of view) that "Dissident IBT Lawbreakers Try to smear IBT, Trucking Industry" in the headline.

Sammy Pro, who got his post as International VP because brother Tony had to make an inconvenient departure to federal prison, elaborated in the article: "Here we have two men who have admitted breaking the law and now they are attempting to smear all Teamsters in the industry."

Greco and Miller "admitted breaking the law" when part of their testimony was that some trucking companies regularly send overweight or dangerous trucks on to the highways, and they stated they themselves had driven overweight trucks.

Provenzano went out of his way in the article to let it be known where his loyalties were. Greco's employer, Consolidated Freightways, was quoted as saying that the dispatching of overweight trucks was "totally inconsistent with our corporate policy" according to Eastern personnel manager Owen Glenn.



Convey-Dispatch photo by Bob Gumpert

Former TDU Co-chair Frank Greco

"The conspiracy of non-enforcement of overweight and unsafe trucks will only be broken when everyone meets their responsibilities to drivers and the public alike," Greco said. "Right now, the overweights are still running."

Miller added, "The only law we broke was Provenzano's code of silence. He just doesn't want anybody to talk about these things. But everybody does it and he knows it."

Subler Settles with NLRB

On the heels of an investigation which revealed numerous violations, the NLRB is ready to enter a sweeping settlement agreement with Carl Subler trucking company. TDU members who initiated the charges oppose portions of the agreement, and intend to appeal them.

In early 1982, 75% of voting Subler drivers rejected the tentative contract recommended by Tampa, Florida Teamsters Local 79. The Local then came back with only minor contract changes, 62% voted no but the officers invoked the "2/3 rule" to pass the contract.

Drivers filed NLRB charges, however, because among other things, Subler initiated legal action against several drivers after the first vote to intimidate drivers and coerce ratification of the contract.

The NLRB settlement requires Subler to drop the lawsuit against the drivers. In addition, Subler agrees that it will not: 1) prohibit workers from posting notices on bulletin boards, from discussing grievances, or from other protected activities on company property; 2) monitor or maintain surveillance over workers; 3) assign work to employees to preclude them from engaging in protected activities.

TDUer Clint Bundy dislikes the proposed agreement. "It requires

Subler to drop the lawsuit; they get slapped on the wrist and we're still stuck with the old contract," he said.

The drivers vow to continue their efforts, to defend their rights, and watchdog the Local 79 officials to get the job done.

TDU Endorses FLOC Boycott

Please Don't Buy the Following Products:

CAMPBELL

Campbell Soup
V-8 Juice
Prego Spaghetti Sauce
Vlasic Pickles
Bounty Products
Franco-American
Pepperidge Farm
Swanson Frozen Dinners
Campbell's Fresh Farm
Recipe Pet Food
Godiva Chocolate
Hanover Trail
Pietro's Gold Coast Pizza
DomSea
Efficient Food Service
Lexington Gardens Retail Centers
Herider Farms Gold Nugget

LIBBY

LIBBY, McNEILL,
LIBBY PRODUCTS

SOUPS

maggi
crosse and blackwell

FROZEN FOODS

Stouffer's

COFFEE and TEA

Taster's Choice

Nescafe

Nestea

Decaf

Sunrise

Pero

HOTELS and RESTAURANTS

Stouffer

Rusty Scupper

CHEESES

Swiss Knight

Wispride

Gerber

Old Fort

Provalone Lacatelli

Cherry Hill

Roger's



Farm
Labor
Organizing
Committee

Speed-up By Any Other Name...

An assault is taking place in warehouses across the country. Teamsters are reeling under its impact, and the union is showing few signs of knowing how to counter it.

Standards, quotas, MTM, MSD... many names to mean one thing: production speed-up. More and more companies in the warehousing and materials-handling industries are introducing these computer-based schemes. A growing number of Teamsters watch helplessly as industrial engineering consultants—or "IE men"—take time and motion studies to map out warehouse operations for the company's new production system.

Few union members object to giving a "fair day's work for a fair day's pay." But these systems are designed to get more than that.

Speed-up is, in a sense, a sinister form of concessions. Not only do employers get more work for the same pay, but the side-effects on workers can be devastating: health, safety, and the quality of work and family life all suffer as a result of productivity systems.

Unfortunately, the IBT and the National Warehouse Division have not provided locals with a clear strategy of how to respond to these production systems.

With no backing or leadership from the International, most locals have not been willing or able to tackle productivity in bargaining, arbitration or elsewhere. The members have been left on their own. Little good language has been won in contracts to control or minimize the introduction of production systems.

Local Initiative

Despite the absence of national policy to deal with the national employers drive, there have been some promising signs locally.

In Xenia, Ohio, the Super Valu

warehouse workers from Local 957 are currently in contract negotiations, with their contract due to expire on March 2. A key issue in negotiations are the engineered production standards, Master Standard Data. Super Valu has been imposing similar standards at warehouses all over the country. Xenia workers report the standards and punishment that comes with them are harsh, and they are united to fight them.

"We have two objectives in bargaining," said chief steward Kenny Fulton. "The first is that we want the standards lowered. The second is that we want to stop all productivity-related discharges."

The members also are pressing for a new time study in light of the reracking that took place after the standards were implemented, and they want their own time study stewards to participate in this.

Safeway in Denver

Locals 537 and 435 in Denver, Colorado took Safeway to arbitration

recently over MTM engineered standards, which were put into effect in the cheese warehouse. The questions involved were whether or not MTM was inherently unreasonable; whether the application of the system was unreasonable; and whether the application resulted in discipline for just cause.

While the arbitrator did not throw out the MTM standards altogether, he did rule that the application of MTM was unfair and did not take into account all aspects of job content, and that the discipline had been mechanically applied, not taking into account such factors as age and ability, injuries and other factors that affect daily output.

In several warehouses nationally, discipline has been limited and time off incentive plans have been introduced. At Sweetlife Foods in Suffield, Conn. discipline is based on group rather than individual averages, so individuals who fall below standards are not punished so long as the group averages do not drop. Further, high perfor-

mance one week drops the discipline level for the following week. And if employees have high performance, they are given the option of time off. When the standards came in, Local 559 retained its own IE consultant to not allow the company's standards to go unchallenged.

These are just some examples of what locals and rank and file Teamsters are doing. In addition, one promising sign is a growing awareness in the national occupational health and safety community that harsh production standards are dangerously unhealthy. The National Institute for Occupational Safety and Health (NIOSH) has recommended that manual lifting restrictions be enforced, and OSHA is considering this.

These are promising signs. TDU intends to continue to investigate and make available such positive developments, and link them up. Future articles will be devoted to this matter, which the International Union has chosen to ignore.

Super Valu Drivers Fight Mileage

With their contract expiring March 2, Xenia Super Valu drivers say there are four major issues that have not been resolved. They are:

- Casual labor, which many feel is definitely a strikeable issue.
- Mileage pay, which the drivers have been resisting for years. Language on mileage is actually written in the contract now, but it was declared "null and void" in the last negotiations. Super Valu is now trying to breathe life into these provisions.
- A "light duty" classification, which the company is pushing in order to reduce its insurance costs.
- Drivers want language that will

protect them from subcontracting, something they will need more than ever because their grievance against subcontracting was recently lost at arbitration. (Like a similar case in Des Moines, the ruling only affected new work; but solid protection from any form of subcontracting needs to be written into the contract.)

"These are big money-making changes," Hanley Mulliken, a committee member, told **Convoy-Dispatch**. "It looks like they're going after the drivers, but we've got a lot of support here."

The committee had its hand strengthened considerably when the mem-

bers voted on Feb. 5 by a 147-0 margin to give the local strike authorization.

Des Moines

Negotiations are recessed until February 22, but it is very clear what the primary issue is at Des Moines Super Valu: mileage.

Last year, when Des Moines Super Valu was still in Local 394, the company tried to get a mileage plan passed even though there was more than a year left on the contract.

The offer at that time was 27c a mile, but there were so many drawbacks that the whole package was unacceptable. Hand unloads would be paid at 7c a hundredweight, pallet loads at 6c a hundred, and backhauls would also be paid at 6c a hundred. Fueling, cleaning trailers, hook-ups, and coffee breaks would be on the drivers' own time. Roughly two hours on every ten hour run would be unpaid time.

The proposal was rejected by a landslide vote on February 4, 1982. But Super Valu management indicated at the time that it would be willing to force a strike over mileage during the next negotiations. That time is drawing near as the Des Moines contract expires on March 28.

Beating UPS' 19-Point Checklist

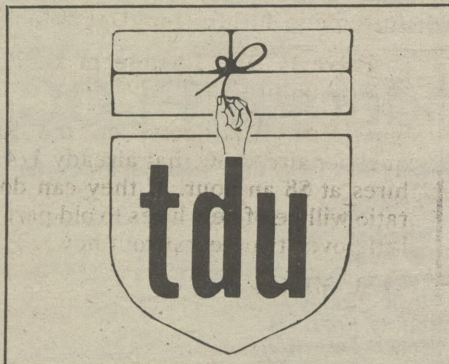
By Bob Armand
Package Car Driver
Local 270, New Orleans, La.

One day a supervisor jumps on your package car and says he is going to evaluate your methods against a 19-point checklist. He says they're not satisfied with your productivity. Maybe your methods "need to be worked on." Maybe you've written a grievance, or stood up for your rights, or those of other workers. Maybe you've verbally disagreed with company policies.

But the real reason the supervisor is riding with you is to harass you and document information against you. He's there to get more productivity out of you.

At the end of the day, he will show you his evaluation. Example: at two stops you didn't record your next stop, at three stops you didn't get the signature, and one time you backed up when he felt it wasn't necessary. As the old saying goes: "Nothing is impossible for the person who doesn't have to do it."

A few days later, he or another



supervisor goes out with you again, 19-point checklist in hand. He may ride with you just the last 40 stops. At the end of the day, he will review it with you. You didn't do this and that as he instructed on the last ride. A few days later you get a warning letter stating that at four stops you didn't "record next stop" and this amounts to "failure to follow instructions."

Points for Correct Methods

You should protest this letter immediately or you acquiesce, accept the letter without protest. The company has taken the first step to

document a case on you. **Your first step** is to file a grievance or a letter of protest.

If you can't get a grievance form, write your grievance on a plain piece of paper. Be sure to date and sign it. Mention that UPS took points away from every mistake you made and that they should give points for every correct method used. Multiply 40 stops times "19 methods" and you get 760 possible points. Subtract four missed method points from a possible 760 points and you get 756 points. Hell, that's real good—99.4%.

Ask the company to withdraw this warning letter. Also charge that the real reason for the "19 points" is to harass you. Let them play defense for a while. How did you do compared to other drivers? What's that? You were the only one checked?

This is a true story and UPS was convinced to throw out the warning letter without even going to the grievance panel.

If you've never written a grievance and want help writing one, TDU can help. TDU, Box 10128, Detroit, MI, 48210, or (313) 842-2600.

Kroger TDUer Wins BA Post

Belated congratulations to long-time TDU member Vern Bell, a Columbus Kroger driver, for winning a Business Agent position in the Local 413 election.

"I hope to get the best representation for the members," Vern told C-D. "For all the years I've been a Teamster, the local just wasn't getting the job done. I'm going to do what I can so they'll get what they've been paying for."

What Info Do They Really Want?

Real Story Behind UPS Survey

UPSers across the country are wondering just what's behind the company's decision to survey some 10,000 employees about their attitudes towards the job and the corporation.

One thing is crystal clear—there's a lot more there than meets the eye. For example, UPS claims it wants to know what you like or don't like about your job, as if it didn't already know that workers hate constant production pressure. But if all it really wanted was this information, it would hardly need to survey such an enormous sample.

A nationally known polling expert interviewed by TDU pointed out that when Gallup, Harris and other national polls sample the entire voting population of the United States (about 100 million people), between 1,000 and 1,500 persons are interviewed.

Moreover, the polling expert (who asked not to be identified) estimated that UPS is shelling out about \$750,000 to the Opinion Research Corporation to

conduct the survey. Either they have a motive other than information-gathering, he said, or "ORC did a heck of a sales job on them." He estimated a smaller, but accurate, information-gathering survey could have been done for less than \$75,000.

Real Motives

What is apparently behind the UPS survey is an effort to prove to UPSers that the company is really looking out for the employees' interests (in contrast to the daily behavior of endless pressure and harassment). And the implication is, if the company cares for you, who needs the union.

This motivation explains why such a huge survey is being taken. UPS wanted to make a point, and was willing to spend 3/4 of a million dollars to do so—to impress upon as many UPSers as possible that they should just forget about their union and identify with the company's interests.

Some of the survey questions reveal this motivation. Question #16 asks: "How do you feel when you hear someone criticizing UPS?" None of the five possible answers admits that the employee might possibly agree with such criticism. It asks only how much hearing criticism of the company "bothers me."

Question #28 gets to the heart of unionism. It offers two choices, one of which is that employees have to "look out for their own (the employees') interests," which is the basis of unionism in the first place. The other choice, the anti-union option, is that employees do not have any interests separate from management.

Another indication that the company is trying to squeeze out the union was its refusal to allow one Teamster local president to see a copy of the survey before his members' participated. Also, we have obtained the list of clients of the Opinion Research Cor-

poration, and it includes several major non-union or anti-union corporations.

Members' Reaction

A check of members showed that in most areas UPSers were glad to get paid time off to do the survey and the chance to express their opinions. But most saw the real reasons behind the survey.

"Could it be that UPS is gathering data that will help them in formulating a strategy for 'softening up' (How soft do they want us anyway?) Teamsters for the '85 contract?" asked one UPS worker from Charlotte, N. Carolina Local 71. "Was the last contract vote too close for comfort for UPS?"

One thing is for sure—only those results beneficial to management will be made public. The polling expert we interviewed confirmed that selective release of information could be expected in any management poll conducted by a corporation.

Wisconsin Local 344

UPSers Fight to Save 8-Hour Guarantees

By the TDU Steering Committee
Local 344, Oshkosh, Wisconsin

Local 344 UPS Teamsters at the Oshkosh, Wisc. Center have again been pressured to violate the contract by bargaining individually. Using a variety of tactics, UPS has approached employees on an individual basis to get them to accept a "pay actual"—which is an agreement to be paid less than the usual eight-hour guarantee if less than eight hours are worked. This has happened recently around any holiday when the volume of work is unpredictable, and the company wants to get out of the eight-hour guarantee.

In July, 1981, 15 employees filed a grievance on just this practice. They won at the Joint Area Committee, which ruled as follows:

Article 6 Applies

Article 6, Section 1, reads:

The Employer agrees not to enter into any Agreement or contract

with their employees, individually or collectively, which in any way conflicts with the terms and provisions of this Agreement. Any such agreement shall be null and void.

This past Christmas, UPS tried to put this over on people again. Many were approached and pressured into accepting a "pay actual" agreement by being told such things as "if you don't sign a 'pay actual' agreement, we will give you so much work that..." UPS carefully did not approach any of the 15 who had won the grievance before.

Many of us feel that the continuous acceptance of the 'pay actual' will eventually lead to the surrender of the 8-hour guarantee. We are very concerned and want the union to enforce the contract.

Fellow UPSers, do not be intimidated by the company's tactics to take away negotiated rights that we are guaranteed in the contract.

A DOG'S LIFE by spot



Reprinted from "The Brown Dog News," a newsletter for UPS workers in the San Francisco Bay area.

Hang UPS

News of UPS Workers

Grievance Won on Not Signing Safe Work Methods Statement. An important grievance was won in a Philadelphia local. UPS insisted that employees had to sign a statement after being trained on methods and safety. The grievance verified that you are not required to sign such a statement. In Local 344 in Wisconsin, some pre-loaders have refused to sign the form.

Who Gets Next Day Air Work? Supervisors continue to do this work in some areas, and this should be grieved right away. In contrast, pre-loaders in New York Local 804 were able to bid in seniority order on driving work created by the Next Day Air service. In New Jersey Local 177, half the jobs created by Next Day Air must be filled from a seniority list of package car drivers, and half can be filled at the company's discretion. This was the ruling of the arbitrator following the walkout over assignment of Next Day Air work. The matter can go back to arbitration in the future, under the terms of the agreement. In Seattle, Washington, a grievance has been filed because newly hired part-timers were given Next Day Air work. Watch for details on the outcome in future HangUps columns.

If There Is Any Change in UPS's Policy Regarding All-Purpose Bulletin Boards, notify TDU immediately. Phone 313-842-2600.

New Hire Part-timers on the Rise. Preliminary results from the TDU questionnaire show that already 1/4 to 1/3 of the part-time work force is new hires at \$8 an hour. If they can do this in 8 months, just imagine what the ratio will be of new hires to old part-timers by the time the contract comes up a little over two years from now.

\$120 Million Savings for UPS. By firing old part-timers and allowing part-timers to bid into package jobs, UPS could eventually get almost all new-hire inside workers. If 30,000 part-timers are replaced by the same number of new hires, UPS will save \$4 an hour times 20 hours a week times 50 weeks, for a sum of \$120 million a year. We don't expect that they will be able to get rid of all part-timers, but you can see the incentive to do so.

Joint Council Stewards Caucus Sponsors UPS Stewards Training Session. This special training session for UPS stewards is scheduled for Saturday, Feb. 26, 9 am to 4 pm at the University of California Institute of Industrial Relations, 2521 Channing Way, Berkeley, California. The session will be led by Al Browning, chair of Merritt College Labor Studies Department.

Get Grievance Panelist Names. When you go to a grievance panel, the panel members often don't introduce themselves. Don't let them be nameless. If they don't introduce themselves, quietly find out who they are from your business agent or some knowledgeable person. After all, they decide the fate of your grievance.

Keep an Open Line to Pre-loaders. Package car drivers should keep good communication with pre-loaders, so everyone who needs to know will know when trucks are being pre-sheeted by supervision.

TDU To Testify Before Senate

Big Lie: 'Investigation' Hoax

The "Big Lie" was smeared across page one of the December issue of Detroit Teamsters Local 337's newspaper. "U.S. Senate to Investigate Dissidents" the headline claimed.

According to the article, unnamed "sources" were saying that TDU would be investigated by the Senate Labor and Human Resources Committee, chaired by Senator Orrin Hatch (R-Utah). Shortly thereafter, reprints of this article spread to a number of places across the country.

The *Missouri Teamster* reprinted it, and copies were circulating in Allentown, Penn. Local 710 in Chicago used it, with the cooperation of **management**, who **demand**ed that stewards post the material!

The Truth Behind the Lies

When rank and file Teamsters saw these claims they became concerned. After all, Sen. Hatch had issued a press release on November 6 saying that an inquiry would be conducted into "alleged efforts by subversive organizations to disrupt" major unions, including the Teamsters, the Steelworkers and the Mineworkers. Was TDU really being investigated?

The answer is no. What was going on was that Local 337 Pres. Bobby Holmes, and other officials who spread these slander sheets, were once again resorting to the "Big Lie" tactic because they have nothing else to defend themselves against the criticism of the rank and file.

When rank and file Teamsters called the number listed on the Hatch press release, and spoke with Committee spokesman Ed Darrell, he informed them that TDU will not be the subject of any investigation.

TDU Invited to Testify

Not only is TDU not being investigated, but on March 15, 1983 TDU will be **testifying** before the Labor Committee of the Senate on the proposed Labor Management Racketeering Act! This Act would make it more difficult for persons convicted of serious crimes such as murder, labor extortion, and theft of union funds to continue to hold positions of power as union or management reps.

TDU has accepted the invitation to testify, and will send representatives to present the rank and file's views to the Senators on the serious matter of corruption in our union.

Attempt to Influence Miners Election

Further investigation into the origins of the Hatch press release revealed

that in all likelihood there will be no hearings at all, about TDU or anything else. It turns out that the press release was probably an attempt to influence the presidential election of the Mineworkers Union, in which reform candidate Rich Trumka was challenging incumbent Sam Church.

The prestigious Bureau of National Affairs reported on December 27, 1982: "The announcement (of the hearings) was released to selected members of the press, primarily outside of Washington on November 6—three days before the November 9 UMW election—and has led to speculation that Hatch unsuccessfully tried to influence the election in favor of incumbent UMW Pres. Sam Church, who was ultimately defeated by former union attorney Rich Trumka."

Who is Richard Leebove?

How did it come to pass that the 'big lie' came to be printed as the front-page story in Bobby Holmes' 337 News?

The author of the 337 article and mastermind behind these attacks is one Richard Leebove. Leebove's main credentials for this post, for which he is paid handsomely (it appears to be \$3,000 a month), is that he is a long-time leader and former candidate of the U.S. Labor Party of Lyndon Larouche. Indeed, on Oct. 24, 1978, the U.S. Labor Party newspaper described Leebove as a "U.S. Labor Party specialist on the Teamsters."

Many rank and file members are familiar with the U.S. Labor Party, which for years has been describing efforts by TDU-PROD and any other reform-minded Teamsters as "Rockefeller Plots," "Kennedy Plots," "Communist Plots," "Ralph Nader Conspiracies," funded by the "National Right to Work Committee," "Drug Peddlers," etc. This outfit has a long history of spreading lies, distortions, and forgeries about honest reform-minded Teamsters.

Mike Royko, the well-known syndicated columnist of the *Chicago Sun-Times*, summed up the U.S. Labor Party and Leebove in two columns, printed February 7 and 10, 1980. In them he described the U.S. Labor Party as "just about the looniest wide-eyed political group in the country. Their paranoid political philosophy consists of foaming at the lips accusing everyone in sight of being engaged in devilish conspiracies against them. They are bankrolled by extremists."

BOBBY HOLMES President of Local 337

Is this the most desperate officer in the IBT? Could be. He has brought a long-time member of the notorious "U.S. Labor Party" (denounced by the whole labor movement, including the Teamsters) into Local 337 to lead an attack on TDU.

At left, Holmes is yelling at Teamster wives picketing his office.

THE LATEST BIG LIE: Local 337's newspaper claims TDU is being investigated by the U.S. Senate Labor Committee as "subversive." The article has been reprinted by many officials. **ACTUAL TRUTH:** TDU is not being investigated at all. In fact, TDU will **testify** at the Senate Labor Committee on March 15 on the Labor-Management Racketeering Act! **AT TOP:** Past "Big Lies" put out by the same kooks behind the 337 story.

Royko in those columns also pointed out that Leebove himself had phony journalist credentials and lied about his connections to the U.S. Labor Party. At the time, he was calling the Mayor of Chicago a prostitute, pinko and part of a "Rockefeller conspiracy" (sound familiar?).

Names Change, Same Game

For years, the Labor Party has been used as a tool of the officials to attack TDU and other reformers. In the past few years, the main vehicle for this was the "American Labor Beacon," a slick publication which was a spinoff of the Labor Party.

But the American Labor Beacon went defunct after the newspaper of the 14 million member AFL-CIO did an extensive expose of the U.S. Labor Party and the Labor Beacon, warning all unions not to touch these jerks with a ten foot pole.

So now Leebove, scorned by the official labor movement, moves on to a position of power in Local 337, working for IBT Vice Pres. Bobby Holmes. The same hypocritical Bobby Holmes who voted in 1978 along with the rest of the IBT General Executive Board to denounce any association with the U.S. Labor Party and its publications.

How Low Will They Go?

It's not hard to figure out why Holmes is now turning to Leebove. It's an election year in Local 337, the largest in Michigan. In the last election, two TDUs defeated Holmes' incumbents for spots on the executive board. One of the defeated was Holmes' own son, who was running for Secretary-Treasurer. So naturally, the union newspaper has to be put to

work, not responding to the issues facing Teamsters in Local 337, but concocting lies and distortions about the rank and file.

Can Lies Stop Dissent?

The shame of all this is that these antics and slanders serve to degrade our union and its officers. These lies and the use of crackpot outfits like the "U.S. Labor Party" do not stop dissent in our union. If lies could stop dissent, then the mountain of lies piled up by the IBT leadership over the last seven years would have long ago buried TDU.

But dissent is a natural outgrowth in any union where the leadership is so thoroughly out of touch with the membership and so ineffectual in representing the interests of the members. TDU only works to turn this dissent into positive changes, instead of just complaining.

The choice before the members of the Teamsters Union is clear. On the one side are a bunch of desperate officials, who tie themselves to idiots and liars like the U.S. Labor Party in an effort to cling to power at all costs. They care little for the members, and they care nothing for the truth.

On the other side is the reform movement and the rank and file. On March 15, 1983, TDU will be in Washington, and we will put forward positive ideas to the Senate Labor Committee. We won't have to spread any big lies because the truth—about what is happening to our contracts, about the quality of representation in our union, about what our top IBT officials are doing—is on our side. That is why we will win.

